

| | | |
|---|------------------------------|--------------------------------|
| 1 | UNITED STATES DISTRICT COURT | |
| 2 | DISTRICT OF NEVADA | |
| 3 | NICHOLAS NEAL, | Case No. 3:22-cv-00349-MMD-CLB |
| 4 | | Plaintiff |
| 5 | v. | ORDER |
| 6 | NDOC, <i>et al.</i> , | |
| 7 | | Defendants |
| 8 | | |

9 **I. DISCUSSION**

10 According to the Nevada Department of Corrections inmate database, Plaintiff is
 11 no longer incarcerated. However, Plaintiff has not filed an updated address with this
 12 Court. Pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately
 13 file with the court written notification of any change of mailing address, email address,
 14 telephone number, or facsimile number. The notification must include proof of service on
 15 each opposing party or the party’s attorney. Failure to comply with this rule may result in
 16 the dismissal of the action, entry of default judgment, or other sanctions as deemed
 17 appropriate by the court.” Nev. Loc. R. IA 3-1. The Court grants Plaintiff 30 days from the
 18 date of this order to file his updated address with the Court. If Plaintiff does not update
 19 the Court with his current address within 30 days from the date of this order, this case will
 20 be subject to dismissal without prejudice.

21 Additionally, the Court denies the application to proceed *in forma pauperis* for
 22 prisoners (ECF No. 4) as moot because Plaintiff is no longer incarcerated. The Court now
 23 directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within
 24 30 days from the date of this order or pay the full filing fee of \$402.

25 **II. CONCLUSION**

26 For the foregoing reasons, it is ordered that Plaintiff will file an updated address
 27 with the Clerk of the Court within 30 days from the date of this order.

28 It is further ordered that Plaintiff’s application to proceed *in forma pauperis* for

1 prisoners (ECF No. 4) is denied as moot.

2 It is further ordered that the Clerk of the Court will send Plaintiff the approved form
3 application to proceed *in forma pauperis* by a non-prisoner, as well as the document
4 entitled information and instructions for filing an *in forma pauperis* application.

5 It is further ordered that within 30 days from the date of this order, Plaintiff will
6 either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners;
7 or (2) pay the full filing fee of \$402.

8 It is further ordered that, if Plaintiff fails to timely comply with this order, this case
9 will be subject to dismissal without prejudice.

10 DATED THIS 17th day of October 2022.

11
12 
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28